

Prob12C
(7/93)

**United States District Court
for the District of Massachusetts
Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Christopher Cruz**Case Number:** 2:02-CR-103-(02
D/MA: CR-03-30045**Name of Sentencing Judicial Officer:** Honorable William K. Sessions III, Chief U.S. District Court Judge
D/VT.10/28/03, Jurisdiction was transferred to The Honorable Michael A. Ponsor, U.S. District Court Judge,
D/MA.**Date of Original Sentence:** June 16, 2003**Original Offense:** Possession with Intent to Distribute Heroin**Original Sentence:** Time Served followed by 3 Years Supervised Release,**Special Conditions:** The defendant shall participate in a program approved by the U.S. Probation Office for substance
abuse, which program may include testing to determine whether the defendant has reverted to the use of drugs or alcohol.**Type of Supervision:** Supervised Release**Date Supervision Commenced:** June 16, 2003**Asst. U.S. Attorney:** John-Claude Charbonneau**Defense Attorney:** Thomas A Zonay

PETITIONING THE COURT

- [X] To issue a warrant
[] To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 The defendant shall participate in a program approved by the U.S. Probation Office for substance abuse, which program may include testing to determine whether the defendant has reverted to the use of drugs or alcohol.**

On 8/6/03, 9/12/03, and 9/17/03, he failed to report to the Probation Office for the random urinalysis color code program. On 9/29/03, Mr. Cruz was terminated from outpatient substance abuse counseling at Spectrum Management Services for 3 or more un-excused absences (9/8, 9/11, 9/15, and 9/18/03).

- 2 The defendant shall report to the Probation Officer and shall submit a truthful and complete written report within the first five days of each month.**

Mr. Cruz has failed to submit a monthly supervision report for the month(s) of August, September, October and November, 2003.

- 3 The defendant shall answer truthfully all inquiries by the Probation Officer and follow the instructions of the Probation Officer.**

Mr. Cruz failed to report to the Probation Office on the following dates for scheduled meetings; 8/1/03, 9/29/03, 10/20/03, and an Administrative Hearing on 10/23/03.

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- 4 The defendant shall work regularly at a lawful occupation unless excused by the Probation Officer for schooling, training, or other acceptable reasons.

Mr. Cruz has remained unemployed since the commencement of his supervision and has failed to provide employment verification sheets provided by the U.S. Probation Office.

- 5 The defendant shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.

On 6/20/03, 7/2/03, and 8/7/03 Mr. Cruz tested positive for the use of marijuana.

- 6 The defendant shall not associate with any person engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the Probation Officer.

Mr. Cruz admitted to associating with an individual who supplied him with marijuana.

- 7 The defendant shall not leave the judicial district with out the permission of the Court or Probation Officer.

From 7/31/03 to 8/7/03, Mr. Cruz was in the state of New Hampshire with out the permission of his Probation Officer.

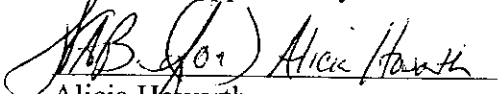
U.S. Probation Officer Recommendation:

The term of supervision should be:

- ☒ Revoked
☐ Extended for year(s), for a total term of years.

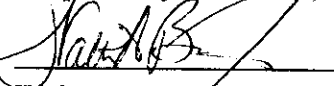
- ☐ The conditions of supervision should be modified as follows:

Reviewed/Approved by:


Alicia Howarth
Supervising U.S. Probation Officer


Respectfully submitted,

By


Walter A. Bush Jr.
U.S. Probation Officer
Date November 18, 2003

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other


Signature of Judicial Officer

11/19/03
Date